

REMARKS

In light of the previous request for continued examination, submissions therewith, and the positions present herein, this application is believed to be in condition for allowance.

Several claims were rejected Under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants appreciate the Examiner's concern, but respectfully disagree. Nonetheless, the subject claims are hereby amended, as shown. Support for such amendments is found throughout the specification. For instance, reference is made to page 6, second paragraph. Accordingly, Applicants respectfully request this rejection be withdrawn, with the subject claims allowed to proceed toward issue.

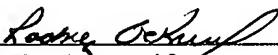
Several claims were rejected under 35 U.S.C. § 102(b), as anticipated by Marshall. Again, Applicants appreciate the Examiner's concern, but respectfully disagree. Nonetheless, several claims are hereby amended to more clearly distinguish the present invention. In particular, claim 1 is hereby amended to recite a pH range well below such a value described by Marshall (column 5 at lines 1-8). Likewise, claim 11 is hereby amended to recite a fermentation temperature well above that described by Marshall (column 5 at lines 9-13). Support for such amendments is found throughout the specification, in particular on page 8 thereof. As such, the corresponding rejections should be withdrawn, with the subject claims allowed to proceed toward issue.

Lastly, claim 15 is also amended to more clearly distinguish this invention. Neither Marshall nor Tsumura describe or suggest use of whole soybean material as described by Applicants. (Reference is made to US Patent No. 6,332,846, as incorporated into the present specification, and in particular column 3 of the '846 Patent at lines 30-44 thereof.) Accordingly, Applicants respectfully request the corresponding rejection be withdrawn, with the subject claims allowed to proceed toward issue.

Applicants believe all required fees have been paid, but authorization is hereby granted to charge Deposit Account 18-0882 for any fee deficiency.

This application is believed to be in condition for allowance. Consistent therewith, favorable action is respectfully requested. The Examiner is invited to contact the undersigned by telephone should any issue remain. Thank you for your time and consideration.

Respectfully submitted:



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